HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.1682 of 2007

Dated:22.08.2007

Between:

Jalligampalla Chandrakaladhar Rao and others.

…Petitioners.

and

The District Collector and others.

…Respondents.

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WRIT PETITION No.1682 of 2007

ORDER:

The four petitioners are allegedly in possession of land admeasuring Acs.18.51 in survey No.22 situated at Nugur Village of Venkatapuram Mandal in Khammam District. They claim that a patta was granted in favour of Jalligampalla Nagarathnam, the sister of petitioners' mother and second wife of their father. The petitioners are allegedly succeeded to the property. It is their allegation that they also obtained necessary mutation in the revenue records in their favour. When there was a threat of dispossession, they also filed O.S.No.3 of 2007 before the Sub-Divisional Magistrate (Mobile Court), Bhadrachalam, and obtained
ad interim injunction in I.A.No.4 of 2007. In spite of the same, it is alleged that the third respondent along with the staff visited the land of the petitioners on 27.01.2007 and on 28.01.2007 and measured the extent of the land. Therefore, they filed instant Writ Petition apprehending dispossession.

A perusal of the affidavit accompanying the Writ Petition would show that the Writ Petition is filed on a mere apprehension. Therefore, such Writ Petition cannot be accepted. However, this Court observes that if the petitioners are in possession of the land, the respondents shall not initiate any action for dispossession without first issuing notice and passing appropriate orders under relevant law.

The Writ Petition, with the above observation, is dismissed. No costs.

(V.V.S.RAO, J)

22.08.2007
GJ